

BEFORE THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
EVANSVILLE DIVISION

EDWARD C. SNUKIS, JR. and
SAMANTHA SNUKIS,
Co-Administrators of the Estate of
Edward C. Snukis,

Plaintiffs,

v.

CASE NO. 3:21-cv-00135-TWP-MPB

CITY OF EVANSVILLE, INDIANA;
MATTHEW O. TAYLOR, in his individual
capacity as an Evansville police officer;
TREVOR KOONTZ, in his individual
capacity as an Evansville police officer; and
NICHOLAS HACKWORTH, in his
individual capacity as an Evansville police officer,

Defendants.

JOINT MOTION TO AMEND THE CASE MANAGEMENT PLAN

Comes now the parties, by counsel, and move the Court to amend the Case Management Plan.

1. The parties have engaged in substantial written discovery and depositions. The parties conferred with the court at a recent informal discovery conference and are pursuing targeted discovery, including depositions, as discussed at that conference. The parties are working collaboratively to complete all non-expert witness discovery and discovery relating to liability issues by April 30, 2023.

2. The parties have agreed to amend the Case Management Plan to allow the discovery and motion practice to proceed in an efficient and orderly manner leading up to the settlement conference on July 19, 2023. The Court has set the Final Pretrial Conference in this case for August 16, 2023, and the Jury Trial to begin on September 11, 2023.

3. Accordingly, the Parties hereby jointly request that the Court amend the Case Management Plan (ECF 81) as follows:

Section III.F Except where governed by paragraph (G) below, expert witness disclosure deadlines shall conform to the following schedule: Plaintiffs shall disclose the name, address, and vita of any expert witness, and shall serve the report required by Fed. R. Civ. P. 26(a)(2) on or before May 15, 2023 (extended from April 7, 2023). Defendants shall disclose the name, address, and vita of any expert witness, and shall serve the report required by Fed. R. Civ. P. 26(a)(2) on or before June 22, 2023 (extended from May 25, 2023); or if Plaintiffs have disclosed no experts, Defendants shall make their expert disclosure on or before June 22, 2023 (extended from May 25, 2023).

Section III.I All parties shall file and serve their final witness and exhibit lists on or before July 31, 2023 (extended from June 23, 2023).

Section IV.B On or before April 30, 2023 (extended from March 31, 2023), and consistent with the certification provisions of Fed. R. Civ. P. 11(b), the party with the burden of proof shall file a statement of the claims or defenses it intends to prove at trial, stating specifically the legal theories upon which the claims or defenses are based.

Section IV.C Dispositive motions are expected and shall be filed by June 26, 2023 (extended from May 19, 2023); non-expert witness discovery and discovery relating to liability issues shall be completed by April 30, 2023 (extended from March 31, 2023); expert witness discovery and discovery relating to damages shall be completed by August 4, 2023 (extended from June 30, 2023).

4. No party will be prejudiced by the relief sought and these extensions will not affect any of the other deadlines set in this case.

WHEREFORE, the Parties respectfully request that this Court enter the proposed order attached hereto.

Respectfully submitted,

/s/ Mark E. Miller

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Attorneys for Defendants

Certificate of Service and Compliance

I hereby certify that on March 21, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to counsel of record in this case.

By: /s/ Mark E. Miller

Mark E. Miller, Attorney No. 10458-82
Attorney for Plaintiffs